

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

|  |  |                      |                        |        |
|--|--|----------------------|------------------------|--------|
|  |  | Application Number   | 10/698,625             |        |
|  |  | Filing Date          | November 3, 2003       |        |
|  |  | First Named Inventor | Ellison                |        |
|  |  | Art Unit             | 1818                   |        |
|  |  | Examiner Name        | J. Pak                 |        |
| Total Number of Pages in This Submission |  | 8                    | Attorney Docket Number | CP380E |

RECEIVED  
CENTRAL FAX CENTER

AUG 23 2006

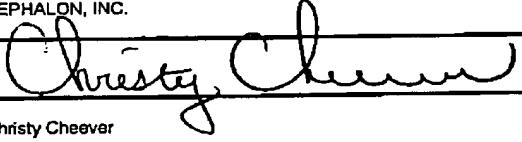
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

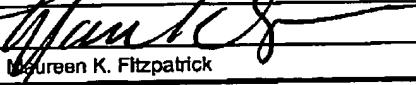
|   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Terminal Disclaimer  | <input type="checkbox"/> Other Enclosure(s) (please identify below)                     |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> CD, Number of CD(s): _____                                     |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> Landscape Table on CD  |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| Remarks   |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |  |          |        |
|--------------|--|----------|--------|
| Firm         | CEPHALON, INC.   |          |        |
| Signature    |  |          |        |
| Printed Name | Christy Cheever  |          |        |
| Date         | August 23, 2006  | Reg. No. | 52,722 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |
|-----------------------|---|
| Signature             |  |
| Typed or printed name | Maureen K. Fitzpatrick  |
| Date                  | August 23, 2006   |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

Attorney Docket No.: CP380E

AUG 23 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
**Ralph M. Ellison, et al.**

Confirmation No.: 3399

Application No.: 10/698,625

Group Art Unit: 1616

Filing Date: November 3, 2003

Examiner: John D. Pak

For: **Compositions and Methods for the Treatment of Primary and Metastatic  
Neoplastic Diseases Using Arsenic Compounds**

DATE OF SUBMISSION: August 23, 2006

Mail Stop - Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RESPONSE

Sir:

In response to the Office Action dated May 24, 2006, in which the shortened statutory period for response expires on August 24, 2006, Applicants hereby submit the following Response.

**Amendments to the Specification** are on page 2 of this paper.**Amendments to the Claims** are reflected in the listing of the claims which begins on page 3 of this paper.

Remarks begin on page 5 of this paper.